

Approved FIRST READING: APRIL 27, 2012

Proposed Second Reading May 18, 2012

PASSED May 18, 2012

EXISTING:

§ 160-3. District boundaries.

- A. For the purposes of this chapter, the Town is hereby divided into Residential and Commercial Zones.
- B. The boundaries of the zones are set forth on a map posted in the Town Hall. *Editor's Note: The Zoning Map is included in a pocket at the end of this volume.* The Commercial Zone is designated in yellow. All remaining land is zoned residential. More specifically, the Commercial Zone extends to a depth of 150 feet on the west side of Route No. 1 between Delaware Avenue and James Street, and to a depth of 130 feet on the east side of Route No. 1 between Atlantic Street and James Street. All remaining land in the Town of Fenwick Island, Delaware, is zoned residential.

PROPOSED:

§ 160-3. District boundaries.

- A. For the purposes of this chapter, the Town is hereby divided into three zones: Commercial, Parks and Residential. The boundaries of the zones are set forth on a map posted in the Town Hall. *Editor's Note: The Zoning Map is included in a pocket at the end of this volume.*
- B. The Commercial Zone is designated in yellow. More specifically, the Commercial Zone extends to a depth of 150 feet on the west side of Route No. 1 between Delaware Avenue and James Street, and to a depth of 130 feet on the east side of Route No. 1 between Atlantic Street and James Street.
- C. The Parks Zone is designated in green. More specifically, the Parks Zone shall include public or private sites designated for use as a park and used for recreational activities common to a park such as, but not limited to, playgrounds, sports, kayaking and other recreational uses.
- D. All remaining land in the Town of Fenwick Island, Delaware, is zoned Residential.

INSERT NEW:

§ 160-6. Parks Zone.

- A. Use regulations. Unless herein provided, no building or premises or site shall be used or any building or structure be hereafter erected, altered or repaired in the Parks Zone except for one or more of the following principal permitted uses:
 - 1. Public athletics facilities.
 - 2. Playgrounds.
 - 3. Outdoor educational facilities.
 - 4. Public outdoor meetings.
 - 5. Public recreation.
 - 6. Public piers and docks.

B. Accessory uses and accessory structures permitted:

1. Off-street parking and loading facilities.
2. Other accessory uses which are incidental to recreational uses.
3. Small utility buildings or other small storage structures used for storage of equipment and supplies used in connection with park related activities.
4. The height of an accessory structure shall not exceed 15 feet above existing ground contour level at the accessory structure site location.

C. Area and yard requirements:

1. Building structures, such as but not limited to, utility buildings, playground equipment, picnic tables, and gazebos shall meet the following minimum setbacks requirements:
 - a) Front yard setback – 20 feet from the front lot line.
 - b) Rear yard setback – 10 feet from the rear lot line.
 - c) Side yard setback - 5 feet from each side lot line.
2. A fence not to exceed six feet in height shall be permitted to screen the park from adjacent residential properties. Such a fence shall not be completely solid, but shall have openings comprising approximately 20% to 30% of the total surface area of the fence in order to provide for the flow-through of air.

D. Town Council may adopt by Resolution additional rules and regulations applicable to any park owned and/or operated by the Town. Additional rules and regulations applicable to any park that is privately owned may be imposed by the Town Council from time to time, but shall require an amendment to the zoning ordinances of the Town.

Re-number remaining chapters.

Posted: May 21, 2012